CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

February 11, 2019

The Herbal Cache LLC
DBA: The Herbal Cache LLC
Via email: Ak.powder@hotmail.com

Re: Retail Marijuana Store License #19277

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 AAC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **Online Application**
  - The premises address of your establishment does not include "Suite 101", which is inconsistent with the information on the lease that you provided. I have rolled your application back to New status so that you can update the premises address on your application through MyAlaska.
  - Once you have resubmitted your Online Application, a new Public Notice and Advertisement Notice will be generated. Be sure to save copies of these documents for your records and other corrections.
- **MJ-00 Application Certifications**
  - Page 1, Section 1 – Establishment Information:
    - The Premises Address field must include "Suite 101".
  - Section 4 – Certifications:
    - Statements in this section must be certified by signing your initials by hand.
- **MJ-01 Operating Plan**
  - All statements that require certification by signing your initials must be signed by hand.
  - Page 2, Section 3.1:
    - Your response describes processes for admitting visitors into restricted access areas, but does not address the question regarding how you will prevent unescorted members of the public from accessing restricted access areas.
  - Page 2, Section 3.2:
    - Expand upon your description of admitting visitors into and escorting them through restricted access areas. Include the ratio of visitors to licensees who will escort them.
  - Page 3, Section 3.3:

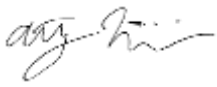
        - Please provide sample badges in the space provided.
    - Page 4, Section 3.5:
        - Expand on your response to address whether external doors and windows are covered by the security alartm system.
        - Re-review the requirements under 3 AAC 306.715(e) and expand on your response in this section to include the point that AMCO is contacted after an unauthorized breach is alerted.
    - Page 4, Sections 3.6 and 3.7:
        - Your responses in these sections were cut off. Edit your responses so they fit in the space provided or use copies of Page 11 for additional space as necessary.
    - Page 8, Section 8.1:
        - Include a description of the type of storage compartments that will be used in the vehicles transporting marijuana.
    - Page 10, Section 9.2:
        - If warning statements are listed on your application, they must be verbatim. A typo is present in the first warning statement in your response – "Marijuana has intoxicating effects and **maybe** habit forming and addictive".
- **MJ-02 Premises Diagram**
    - Page 1, Section 1 – Establishment Information:
        - The Premises Address field must include "Suite 101".
    - All Diagrams:
        - Number and label your diagrams according to the list provided on Page 1 of Form MJ-02.
        - Each diagram must be labeled with your license number, DBA, and a true north arrow.
    - Diagram of the Licensed Premises:
        - In color, outline and label the boundary of the proposed Licensed Premises (and label it as such).
        - Restrooms should not be designated as restricted access areas, as that would require them to be under video surveillance.
        - Areas used for marijuana storage and the location of video surveillance equipment must be depicted.
- **MJ-03 Retail Supplemental**
    - All statements that require certification by signing your initials must be signed by hand.
    - Page 1, Section 1 – Establishment Information:
        - The Premises Address field must include "Suite 101".
    - Page 4, Section 6.1:
        - Expand on your response to describe how you will ensure that products sold meet the packaging requirements of 3 AAC 306.045. Your response only describes the labeling requirement.
    - Page 4, Section 6.2:
        - No sample label was provided with your application.
    - Page 5, Section 8.1:
        - Please re-review 3 AAC 306.740 and describe your waste disposal procedures in more detail. Include details such as whether marijuana waste will be ground prior to mixing, the ratio of marijuana waste to materials used to render it unusable, and how you intend to dispose of waste.
- **MJ-07 Public Notice Posting Affidavit**
    - Section 1 – Establishment Information:
        - The Premises Address field must include "Suite 101".

- Because the information on your Public Notice will change, it will be necessary to re-post a copy of your Public Notice at the location of your proposed premises and one other conspicuous location for **five** days. Once this is complete, fill out and submit a new MJ-07.

- **MJ-08 Local Government Notice Affidavit**
  - Section 1 – Establishment Information:
    - The Premises Address field must include "Suite 101".
  - Section 2 – Certifications:
    - Provide the name and title of the local government official at the Municipality of Anchorage that you provided a copy of your Public Notice to in the Name/Title of LG Official 1 section. Both individuals you have listed in this section are affiliated with the Girdwood Community Council.
  - Because the information on your Public Notice will change, it will be necessary to provide a copy of the updated Public Notice to your local government and community council. Afterward, complete and submit a new MJ-08.
- **Publisher's Affidavit**
  - The advertisements that were ran for this establishment did not include the license number, Doing Business As name (DBA), or the suite number of this establishment. It will be necessary to run a corrected advertisement **once a week for three consecutive weeks** and provide a new affidavit from the publisher. Be sure to provide the publisher with a copy of the Advertisement Notice that is generated when you resubmit your application through MyAlaska.
- **MJ-09 Statement of Financial Interest**
  - Page 1, Section 1 – Establishment Information:
    - The Premises Address must include "Suite 101".
- **Proof of Possession for Proposed Premises**
  - The lease provided is inadequate to show that The Herbal Cache, LLC has sole right to possession of the proposed premises, as required under 3 AAC 306.020(b)(9). The lease identifies two tenants: The Herbal Cache, LLC and Brent Carse.
  - A lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary (typically under the "Default" section of the lease).
- **Entity Documents**
  - A copy of the Herbal Cache LLC's Operating Agreement is required.
- **Applicant's Alaska Residency**
  - Brent Carse's Alaska residency could not be verified. Did he apply for the 2019 Permanent Fund Dividend?

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,



TJ Zielinski, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	Ak.powder@hotmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - The Herbal Cache LLC License #19277
Date:	Monday, February 11, 2019 3:50:37 PM
Attachments:	19277 Incomplete Notice.pdf image001.png

Good afternoon,

Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Notice.

Let us know if you require copies of any documents that were submitted.

If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	brent carse
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The Herbal Cache LLC, License #19277
Date:	Monday, March 18, 2019 11:23:32 AM
Attachments:	image001.png

Good morning Brent,

I have received and reviewed the corrections for your application. Many of the necessary corrections were made, but at this time your application is still in incomplete status. The following items still require correction:

Form MJ-01: Operating Plan

Some of the sections of this application state "See addendum, page 11, for additional information", but I did not see any addendums included with your submitted documents. I looked at Page 11 of the other documents you submitted previously (like the draft employee handbook and Valkyrie security packet) but didn't see any references to the information requested. The sections citing this addendum are:

- Section 3.5
- Section 3.6
- Section 3.7
- Section 4.2
- Section 8.1

The sections in red are responses that required corrections that I don't see having been made. The other three may just have additional information that you included.

Form MJ-08: Local Government Notice Affidavit

We will need to know what dates you submitted your Public Notice to your Local Government and Community Council. The "Date Submitted" fields were left blank.

Miscellaneous – Division of Corporations Biennial Report

Looking over the information available online for The Herbal Cache LLC, it appears that there might be some additional reports that you will need to file for this entity such as the initial biennial report. Your entity information can be found online in the Division of Corporations' website at https://www.commerce.alaska.gov/cbp/main/Search/EntityDetail/10089476. Please contact them to see if there are any more reports that you are required to file.

Thank you, and let me know if you have any questions,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: brent carse <Ak.powder@hotmail.com>
Sent: Thursday, March 14, 2019 1:49 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Completed Supplemental Forms; License # 19277

Hello TJ,

I am attaching all corrections to my application that was requested by you in your letter dated February 11, 2019. Please let me know if you have received everything or need any further documents.

Thank you,

Brent Carse
The Herbal Cache LLC
(907)764-7108
Ak.powder@hotmail.com

From: Marijuana Licensing (CED sponsored)
To: brent carse
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Incomplete Application - The Herbal Cache LLC License #19277
Date: Monday, April 01, 2019 10:53:06 AM
Attachments: image001.png

Good morning Brent,

I have received your revisions and the corrections listed in the Incomplete Notice have been addressed. However, there is one discrepancy I noticed during a final review of the documents on Form MJ-01: Marijuana Establishment Operating Plan.

On Page 8, Section 8.1, you state that marijuana will be packaged "…in a sealed package not exceding one ounce if packaged by another marijuana facility", in addition to being placed in five pound packages for repackaging by a retail facility. What is meant by this statement? 3 AAC 306.470 requires that a Marijuana Cultivation Facility not package marijuana in packages exceeding one ounce if the Retail Facility will repackage the marijuana for individual sale to consumers, but this is not what your response is stating.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: brent carse <Ak.powder@hotmail.com>
Sent: Thursday, March 28, 2019 3:10 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Completed Supplemental Forms; License # 19277

Hello TJ,

I have reattached the complete form MJ-01 including page 11 and MJ-08. I have also added a cover page to this email. Please let me know if you have received everything.

Thank you,

Brent Carse
The Herbal Cache LLC
(907)764-7108
Ak.powder@hotmail.com